

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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NEW YORK CITY TRANSIT AUTHORITY,	:
	:
Plaintiff,	:
	:
v.	:
	:
EXPRESS SCRIPTS, INC.	:
	:
Defendant.	:
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**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law; Statement of Material Undisputed Facts Pursuant to Rule 56.1 of the Local Civil Rules for the Southern District of New York; the exhibits attached to the Declaration of Elizabeth A. Bozicevic filed in support of this motion; and all prior pleadings and proceedings herein, Defendant Express Scripts, Inc. (“Express Scripts”) hereby moves this Court, before the Honorable Jesse M. Furman, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Room 1105, New York, New York, for an order pursuant to Federal Rule of Civil Procedure 56(a) granting summary judgment in favor of Express Scripts and dismissing the case, and granting such other and further relief as the Court deems just and proper under the circumstances.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court’s Memo Endorsement dated March 23, 2021 (Doc. No. 107), Plaintiff’s opposition papers, if any, shall be due by May 10, 2021, and Express Scripts’ reply papers in further support, if any, shall be due by June 9, 2021.

Dated: March 31, 2021

By: /s/ Elizabeth A. Bozicevic

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***Attorneys for Defendant  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 31st day of March, 2021, the foregoing was filed electronically with the Clerk of Court, to be served by operation of the Court's electronic filing system upon all counsel of record.

s/ Elizabeth A. Bozicevic